

Serial No.: 10/728,681

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jose L. Encisco

Serial No.: 10/728,681

Filed: 12/05/2003

Title: SONET/SDH RING AGGREGATION

Art Unit: 2419

Examiner: Joshua Y. Smith

Confirm. No.: 9076

Docket No.: 4998P021 (now 2060/30)

VIA EFS Web  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Electronic Transmission  
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I hereby certify that this correspondence and any document referenced herein are being electronically filed with the USPTO via EFS-Web on January 4, 2010.

Marjorie Scariati  
(Printed Name of Person Sending Correspondence)

/Marjorie Scariati/  
(Signature)

**NOTICE OF APPEAL AND PRE-APPEAL BRIEF REQUEST FOR REVIEW**

SIR:

Applicant hereby respectfully appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated October 1, 2009, finally rejecting the pending claims in this application. A response is due by Monday, January 4, 2010; thus, this Notice of Appeal is timely filed.

Authorization is hereby provided to charge Deposit Account No. 50-1047 the Appeal Fee under 37 CFR 41.20(b)(1) (\$540). It is further requested that the Commissioner charge any additional fees that may be required, or credit any overpayments, to Deposit Account 50-1047.

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A Pre-Appeal Brief Request For Review is filed herewith.

Respectfully submitted,

Dated: January 4, 2010

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Respectfully submitted,

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